



COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ATTORNEY GENERAL

April 12, 2004

**Gerald J. Pappert**  
Attorney General

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Gail Galloway  
R.D. #1, Box 30  
Petersburg, PA 16669

Re: *Galloway v. Pennsylvania Board of Probation and Parole*, No. 1:00:CV:00649  
(M.D.Pa.)

Dear Mr. Galloway:

Here is Mr. Smith's executed verification. I continue to be unable to contact Mr. Giornesto. As I mentioned in my last letter, while I appreciate the fact that you feel Mr. Giornesto caused your troubles, as a legal matter Mr. Smith alone made the decision to arrest you on June 1, 1998, he alone would be held liable if this decision violated your Fourth Amendment rights (as Mr. Giornesto was not involved in that decision). This is true even if Mr. Giornesto falsely told others that your son wanted to buy you a gun for your birthday and regardless of what you believe motivated Mr. Giornesto to utter this allegedly false statement. You were arrested by Mr. Smith because of the weapons found in your house and not because your son had plans to buy you a gun. Given this, I continue to hope you will agree to voluntarily dismiss Mr. Giornesto. Let me know your thoughts on this matter.

Sincerely,

A handwritten signature in black ink that appears to read "Francis R. Filipi".

Francis R. Filipi  
Senior Deputy Attorney General  
Attorney ID# 18630

FRF\ms

VERIFICATION

I, Joseph M. Smith, state under penalty of perjury that the information contained in response to the foregoing interrogatories is true and correct to the best of my information, knowledge and belief.

JM Smith  
Joseph M. Smith

Date: 3 April 04